

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:20-cv-378-HSO-JCG

SIXTEEN FIREARMS, AND
5,803 ROUNDS OF ASSORTED
AMMUNITION

DEFENDANT PROPERTY

DEFAULT JUDGMENT OF FORFEITURE

Before the Court is Plaintiff United States of America's Motion for Default Judgment of Forfeiture [10]. Having considered the Motion and the relevant authorities, the Court finds that the relief the United States seeks should be granted. The Court further finds and adjudicates as follows:

1. On December 23, 2020, the United States filed a Verified Complaint for Forfeiture *in Rem* [1] and sought forfeiture of the following firearms, parts, and ammunition:

20-ATF-023736	Savage B22 Rifle CAL: .22 SN:3319016
20-ATF-023737	1 Rounds CCI Ammunition CAL: .22
20-ATF-023739	Chongqing Jianshe Machinery Co. LTD. (EMEI) JTS-12 Shotgun CAL: 12ga SN: EM17064086
20-ATF-023741	Rock River Arms, INC LAR 15 Rifle CAL: 5.56mm SN: CM231900
20-ATF-023742	20 Rounds Hornady Ammunition CAL: .223
20-ATF-023746	Howa 1500 Rifle CAL: .22-250 SN: B176265

20-ATF-023747	Ruger 10/22 Rifle CAL: .22 SN: 240-71892
20-ATF-023749	Norinco (North China Industries) MAK91 Rifle CAL: 7.62mm SN: NM9304278
20-ATF-023750	5 Rounds Wolf Ammunition CAL: 7.62mm
20-ATF-023751	Browning Gold Hunter Shotgun CAL: 12ga SN: 113MW04119
20-ATF-023752	Spike's Tactical LLC ST15 Rifle CAL: Multi SN: LT021087
20-ATF-023753	1 Rounds Hornady Ammunition CAL: .450
20-ATF-023754	Anderson Manufacturing AM-15 Receiver/Frame CAL: Multi SN: 18253755
20-ATF-023755	HS PRODUCTS (IM METAL) XDS Pistol CAL: .45 SN: XS674902
20-ATF-023756	7 Rounds Hornady Ammunition CAL: .45
20-ATF-023758	Glock Inc. 42 Pistol CAL: .380 SN: ACMV944
20-ATF-023759	6 Rounds Winchester-Western Ammunition CAL: .380
20-ATF-023761	Ruger SR1911 Revolver CAL: .45 SN: 670-16650
20-ATF-023762	Harrington & Richardson 1871 Inc. 929 Revolver CAL: .22 SN:AM38584
20-ATF-023763	Ruger Standard Pistol CAL: .22 SN:14-73101
20-ATF-023765	8 Rounds Remington Ammunition CAL: .22
20-ATF-023767	Bond Arms Inc. Snake Slayer Derringer CAL: .45/410ga SN: 88655
20-ATF-023769	North American Arms NAA22 Revolver CAL: .22 SN: E169265
20-ATF-023771	4 Rounds CCI Ammunition CAL: .22
20-ATF-023773	5 Rounds Hornady Ammunition CAL: .45

20-ATF-023776	40 Rounds HORNADY Ammunition CAL: .450
20-ATF-023777	85 Rounds Winchester-Western Ammunition CAL: 12ga
20-ATF-023779	400 Rounds Assorted Ammunition CAL: 7.62mm
20-ATF-023782	44 Rounds Aguila Ammunition CAL: .22
20-ATF-023784	991 Rounds Assorted Ammunition CAL: Multi
20-ATF-023786	647 Rounds Assorted Ammunition CAL: Multi
20-ATF-023789	499 Rounds Assorted Ammunition CAL: Multi
20-ATF-023790	396 Rounds Assorted Ammunition CAL: Multi
20-ATF-023793	2538 Rounds Assorted Ammunition CAL: .22
20-ATF-023794	70 Rounds Federal Ammunition CAL: 12ga
20-ATF-023965	36 ounds Aguila Ammunition CAL: .22

seized from Justin Burrell (the “Defendant Property”). The complaint alleges that the Defendant Property is subject to forfeiture under 18 U.S.C. § 924(d)(1).

2. On December 30, 2020, the Court issued a Warrant of Arrest *in Rem* [4]. On January 4, 2021, the Clerk’s Office entered the executed Warrant of Arrest *in Rem* [5] to the docket.

3. Under Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States mailed direct, written notice of this instant civil asset forfeiture action against the

Defendant Property, including copies of the Verified Complaint for Forfeiture *in Rem* [1] and Notice of Complaint for Forfeiture [2], to all potential claimants reasonably known to the United States, as evidenced by the United States' Proof of Service [7], filed with this Court on March 12, 2021.

4. Beginning on January 7, 2021, the United States published for thirty (30) consecutive days on an official government internet website at www.forfeiture.gov notice of this instant civil asset forfeiture action against the Defendant Property, as evidenced by the Proof of Publication [6] filed in this cause on March 12, 2021.

5. The aforementioned publication and direct notices informed Justin Burrell and all other persons or entities, known or unknown, having or claiming an interest in the Defendant Property that the Defendant Property had been arrested and that this instant civil forfeiture action was pending. The publication and direct notices also informed said persons and entities that any persons or entities having or claiming an interest in the Defendant Property had at least thirty-five (35) days after the plaintiff mailed its written, direct notice, or sixty (60) days after the first publication of notice on an official government website, to file a claim and twenty (20) days after filing such claim to file an answer. Furthermore, the notice referred any such persons or entities to Rule G(5) of the Supplemental Rules of Admiralty and Maritime Claims and

Asset Forfeiture Actions, and warned that if this Supplemental Rule were not strictly followed, the Court could strike any claim and answer and enter default judgment of forfeiture or summary judgment against any improperly claimed interest in the Defendant Property.

6. The United States took all reasonable measures to ensure that Justin Burrell and all other possible claimants received such notice in a timely fashion.

7. As of this date, no claims, answers, or appearances in this cause to assert an interest in the Defendant Property, or to otherwise defend against this instance forfeiture action, have been filed by Justin Burrell or any other person or entity. Thus, the time for Justin Burrell or any other person or entity to file a valid claim or answer in this action has lapsed pursuant to Rule G of the Supplemental Rules of Admiralty and Maritime Claims and Asset Forfeiture Actions.

8. As such, Justin Burrell and all other possible claimants are in total default; the Clerk of Court's March 15, 2021, Entry of Default [9] was proper; and the United States is entitled to a default judgment of forfeiture against the full interests of Justin Burrell and all other persons and entities in the Defendant Property, all without the necessity of further notice to Justin Burrell or any other person or entity.

IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:

- a. The United States of America is hereby given a default judgment of forfeiture against the full interests of Justin Burrell and all other person and entities in the Defendant Property firearms, parts, and ammunition, listed above;
- b. Any administrative claims or interests therein of any entities or persons, and any other possible claimant are hereby canceled;
- c. The Defendant Property is referred to the custody of United States Marshals Service for disposition in accordance with the relevant law and regulations.

SO ORDERED AND ADJUDGED, this the 16th day of March, 2021.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE